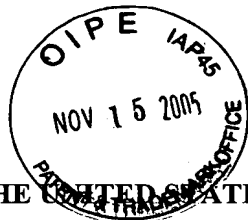


Docket No. 240263US2



JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Takashi NAKAMURA, et al.

SERIAL NO: 10/616,979

GAU: 2677

FILED: July 11, 2003

EXAMINER: SHENG, TOM V

FOR: DISPLAY DEVICE

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references cited in the attached Chinese Office Action and listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.

- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.

- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Marvin J. Spivak

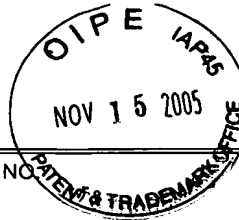
Registration No. 24,913  
Joseph Scafetta, Jr.  
Registration No. 26,803

Surinder Sachar  
Registration No. 34,423

Customer Number

**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 05/03)

Form PTO 1449  
(Modified)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DOCKET NO.

240263US2

SERIAL NO.

10/616,979

## LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Takashi NAKAMURA, et al.

FILING DATE

July 11, 2003

GROUP

2677

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	2002/0041404 A1	4/11/2002	Sukeyuki SHINOTSUKA, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	1348304A	5/8/2002	China (Corrs. to U.S. 2002/0041404 A1)		X
	AP					
	AQ					
	AR					
	AS					
	AT					
	AU					
	AV					

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

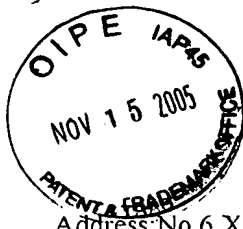
	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



THE PATENT OFFICE OF THE STATE INTELLECTUAL PROPERTY OFFICE  
OF THE PEOPLE'S REPUBLIC OF CHINA

Address: No.6 Xi Tucheng Lu, Jimeng Qiao Haidian District, Beijing Post code: 100088 P.O.BOX: Beijing 8020

Shanghai Patent & Trademark Law Office

Date of Dispatch  
September 23, 2005

Application No.: 03145860.2	Applicant: TOSHIBA MATSUSHITA DISPLAY TECHNOLOGY CO., LTD.
Application Date: July 11, 2003	Agent:
Title: 表示装置	

NOTICE ON FIRST OFFICE ACTION

- ☒ According to the Request for Substantive Examination raised by the applicant and based on the provision of Item 1, Article 35 of the Patent Law, the Examiner has proceeded with the Examination as to Substance on the above mentioned application for patent for invention.  
☐ According to Item 2, Article 35 of the Chinese Patent Law, the Patent Office has decided to examine the above application for patent for invention.
- ☒ The applicant has requested that the filling date of  
2002-07-12 at the JP Patent Office as the priority date,  
2002-12-27 at the JP Patent Office as the priority date,  
2002-07-26 at the JP Patent Office as the priority date,  
2002-09-13 at the JP Patent Office as the priority date,  
2002-10-28 at the JP Patent Office as the priority date,  
☒ The applicant has already submitted the copy of the first filed prior application document certified by the receiving office of the country where the application was originally filed.  
☐ The applicant has not submitted the copy of the first filed prior application document certified by the receiving office of the country where the application was originally filed. It is deemed not having claimed priority according to the provision stipulated in Article 30 of the Patent Law.  
☐ This application is a PCT application.
- ☐ The applicant submitted on \_\_\_\_\_ and \_\_\_\_\_ the amendment documents.  
On examination, among them,  
the \_\_\_\_\_ submitted on \_\_\_\_\_ can not be accepted.  
the \_\_\_\_\_ submitted on \_\_\_\_\_ can not be accepted.  
Because the above amendment  
☐ does not conform with the provisions of Article 33 of the Chinese Patent Law,  
☐ does not conform with the provisions of Rule 51 of the Implementing Regulations of the Chinese Patent Law,  
Refer to the text of the Notice for the specific reasons why the amendment cannot be accepted

4. ☒ The examination has been proceeded on the original application documents.  
☐ The examination is directed at the following application documents:  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing of the original application documents submitted on the date of filing.  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing submitted on \_\_\_\_\_.  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing submitted on \_\_\_\_\_.  
 Claim \_\_\_\_\_, page \_\_\_\_\_ of the specification, page \_\_\_\_\_ of the drawing submitted on \_\_\_\_\_.  
 Abstract of the specification submitted on \_\_\_\_\_, the drawing of the Abstract submitted on \_\_\_\_\_.

5. ☐ This Notice is made under the condition of no search having been conducted.  
☒ This Notice is made under the condition of search having been conducted.  
☒ This Notice has cited the below comparison documents (the number of which shall continue to be used in the subsequent examination procedures):

No.	Title of Document	Date of Publication (or the filing date of the conflicting Application)
1	CN1348304A	2002-05-08
2		
3		
4		

6. The conclusive opinion drawn from the examination:

☐ **As regards the Specification:**

- ☐ The contents of the application fall under the scope stipulated by Article 5 of the Patent Law for which no patent right shall be granted.  
☐ The specification does not conform with the provision of Item 3, Article 26 of the Patent Law.  
☐ The drafting of the specification does not conform with the provision of Rule 18 of the Implementing Regulations.

☒ **As regards the Claims:**

- ☐ Claim \_\_\_\_\_ does not possess the novelty as stipulated in Item 2, Article 22 of the Patent Law.  
☒ Claim 1,19 does not possess the inventiveness as stipulated in Item 3, Article 22 of the Patent Law.  
☐ Claim \_\_\_\_\_ does not possess the practical applicability as stipulated in Item 4, Article 22 of the Patent Law.  
☐ Claim \_\_\_\_\_ falls under the scope of Article 25 of the Patent Law where no patent right is to be granted.  
☒ Claim 4,7,9,14,23-25 does not conform with the provision of Item 4, Article 26 of the Patent Law.  
☒ Claim 1-8,19;9-14;16;17-18;20-22;23-25 does not conform with the provision of Item 1, Article 31 of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the definition of invention as stipulated in Item 1, Article 2 of the Implementing Regulations of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the provision of Item 1, Rule 13 of the Implementing Regulations of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the provisions of Rules 20 of the Implementing Regulations of the Patent Law.  
☐ Claim \_\_\_\_\_ does not conform with the provisions of Rules 21 of the Implementing Regulations

of the Patent Law.

- ☐ Claim \_\_\_\_\_ does not conform with the provisions of Rules 22 of the Implementing Regulations of the Patent Law.
- ☐ Claim \_\_\_\_\_ does not conform with the provisions of Rules 23 of the Implementing Regulations of the Patent Law.

Refer to the text of this Notice for the specific analyses of the conclusive opinion.

7. Based on the above conclusive opinion, the Examiner deems that:

- ☐ The applicant shall amend the application documents in accordance with the requirements raised in the text of the Notice.
- ☒ The applicant shall discuss in his observations reasons why this application for patent can be granted a patent right, and amend the portions indicated in the text of the Notice which have been deemed as not conforming with the provisions, or no patent right shall be granted.
- ☐ There are no substantive contents in the application for patent that can be granted a patent right. If the applicant does not present reasons or the reasons presented are not sufficient, the application shall be rejected.

8. The applicant is asked to note the following items:

- (1) According to the provision of Article 37 of the Patent Law, the applicant shall submit his observations within **four months** from the receipt of this Notice. Where, without justified reasons, the applicant does not respond at the expiration of said date, the application shall be deemed to have been withdrawn
- (2) The applicant shall amend his application according to Article 33 of the Patent Law. The amended documents shall be in duplicate, and the form, in conformity with the relevant provisions in the Examination Guide.
- (3) The applicant and/or his agent can not, without first making an appointment, go to the Patent Office to have an interview with the Examiner.
- (4) The observations and/or the amended documents shall be mailed or delivered to Department of Receipt, the Patent Office of the State Intellectual Property Office. No documents shall possess legal effects if not mailed or delivered to Department of Receipt.

9. The text portion of this Notice totals 2 page(s), and includes the following attachment(s):

- ☒ duplicate copy(ies) of cited comparison document(s), altogether 1 copy(ies) 22 pages.
- ☐

Examination Department: \_\_\_\_\_

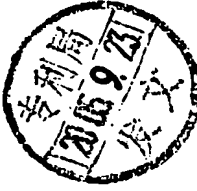

Examiner(Seal): \_\_\_\_\_

2201 2001.7

P171#



# 中华人民共和国国家知识产权局

邮政编码: 200233 上海桂平路 435 号 上海专利商标事务所有限公司 包于俊		发文日期 
申请号: 031458602		
申请人: 东芝松下显示技术有限公司		
发明创造名称: 显示装置		

## 第一次审查意见通知书

1. ☒ 应申请人提出的实审请求, 根据专利法第 35 条第 1 款的规定, 国家知识产权局对上述发明专利申请进行实质审查。  
☐ 根据专利法第 35 条第 2 款的规定, 国家知识产权局决定自行对上述发明专利申请进行审查。
2. ☒ 申请人要求以其在:
- |    |         |                  |        |
|----|---------|------------------|--------|
| JP | 专利局的申请日 | 2002 年 07 月 12 日 | 为优先权日, |
| JP | 专利局的申请日 | 2002 年 12 月 27 日 | 为优先权日, |
| JP | 专利局的申请日 | 2002 年 07 月 26 日 | 为优先权日, |
| JP | 专利局的申请日 | 2002 年 09 月 13 日 | 为优先权日, |
| JP | 专利局的申请日 | 2002 年 10 月 28 日 | 为优先权日。 |
- ☒ 申请人已经提交了经原申请国受理机关证明的第一次提出的在先申请文件的副本。  
☐ 申请人尚未提交经原申请国受理机关证明的第一次提出的在先申请文件的副本, 根据专利法第 30 条的规定视为未提出优先权要求。
3. ☐ 经审查, 申请人于:
- |          |                   |
|----------|-------------------|
| 年 月 日提交的 | 不符合实施细则第 51 条的规定; |
| 年 月 日提交的 | 不符合专利法第 33 条的规定;  |
| 年 月 日提交的 |                   |
4. 审查针对的申请文件:
- ☒ 原始申请文件。 ☐ 审查是针对下述申请文件的
- | 申请日提交的原始申请文件的权利要求第 | 项、说明书第        | 页、附图第 | 页; |
|--------------------|---------------|-------|----|
| 年 月 日提交的权利要求第      | 项、说明书第        | 页、附图第 | 页; |
| 年 月 日提交的权利要求第      | 项、说明书第        | 页、附图第 | 页; |
| 年 月 日提交的权利要求第      | 项、说明书第        | 页、附图第 | 页; |
| 年 月 日提交的说明书摘要,     | 年 月 日提交的摘要附图。 |       |    |
5. ☐ 本通知书是在未进行检索的情况下作出的。  
☒ 本通知书是在进行了检索的情况下作出的。  
☒ 本通知书引用下述对比文献(其编号在今后的审查过程中继续沿用):
- | 编号 | 文件号或名称     | 公开日期(或抵触申请的申请日) |
|----|------------|-----------------|
| 1  | CN1348304A | 2002-5-8        |
6. 审查的结论性意见:
- ☐ 关于说明书:
- ☐ 申请的内容属于专利法第 5 条规定的不授予专利权的范围。



- ☐说明书不符合专利法第 26 条第 3 款的规定。  
☐说明书不符合专利法第 33 条的规定。  
☐说明书的撰写不符合实施细则第 18 条的规定。

☒关于权利要求书:

- ☐权利要求 不具备专利法第 22 条第 2 款规定的新颖性。  
☒权利要求 1, 19 不具备专利法第 22 条第 3 款规定的创造性。  
☐权利要求 不具备专利法第 22 条第 4 款规定的实用性。  
☐权利要求 属于专利法第 25 条规定的不授予专利权的范围。  
☒权利要求 4, 7, 9, 14, 23-25 不符合专利法第 26 条第 4 款的规定。  
☒权利要求 1 - 8, 19; 9 - 14; 16; 17 - 18; 20 - 22; 23 - 25 之间不符合专利法第 31 条第 1 款的规定。  
☐权利要求 不符合专利法第 33 条的规定。  
☐权利要求 不符合专利法实施细则第 2 条第 1 款关于发明的定义。  
☐权利要求 不符合专利法实施细则第 13 条第 1 款的规定。  
☐权利要求 不符合专利法实施细则第 20 条的规定。  
☐权利要求 不符合专利法实施细则第 21 条的规定。  
☐权利要求 不符合专利法实施细则第 22 条的规定。  
☐权利要求 不符合专利法实施细则第 23 条的规定。

上述结论性意见的具体分析见本通知书的正文部分。

7. 基于上述结论性意见, 审查员认为:

- ☐申请人应按照通知书正文部分提出的要求, 对申请文件进行修改。  
☒申请人应在意见陈述书中论述其专利申请可以被授予专利权的理由, 并对通知书正文部分中指出的不符合规定之处进行修改, 否则将不能授予专利权。  
☐专利申请中没有可以被授予专利权的实质性内容, 如果申请人没有陈述理由或者陈述理由不充分, 其申请将被驳回。

8. 申请人应注意下述事项:

- (1) 根据专利法第 37 条的规定, 申请人应在收到本通知书之日起的肆个月内陈述意见, 如果申请人无正当理由逾期不答复, 其申请将被视为撤回。  
(2) 申请人对其申请的修改应符合专利法第 33 条的规定, 修改文本应一式两份, 其格式应符合审查指南的有关规定。  
(3) 申请人的意见陈述书和/或修改文本应邮寄或递交国家知识产权局专利局受理处, 凡未邮寄或递交给受理处的文件不具备法律效力。  
(4) 未经预约, 申请人和/或代理人不得前来国家知识产权局专利局与审查员举行会晤。

9. 本通知书正文部分共有 2 页, 并附有下列附件:

- ☒引用的对比文件的复印件共 1 份 22 页。 ☐

审查员: 潘宇媛(9521)

2005 年 9 月 6 日

审查部门 审查协作中心



## 第一次审查意见通知书正文

该申请涉及一种具有图像取入功能的显示装置，经审查，具体意见如下：

权利要求 1 要求保护一种显示装置，对比文件 1—CN1348304A 公开了一种图像显示装置，其中包括矩阵形式排列的像素和图像传感器，所述传感器将照射到其上的光转换为电信号，结电容 C 用来存储传感器转换的电信号（参见说明书第 4—5 页）。权利要求 1 与对比文件 1 的区别在于，权利要求 1 中还包括产生数字图像数据的信号处理部，对比文件 1 中虽然没有出现该装置，但根据其中披露的特征：像素选择电路 2 输出选择信号在一定的时间序列内打开相应的开关 SW1—SW4 以阅读传感器信号（参见说明书第 6 页倒数第 2 段），本领域普通技术人员可以推导出，该装置还可包括将传感器的信号转换为图像数据的装置，因此本领域普通技术人员能够根据对比文件 1 得到权利要求 1 的技术方案，权利要求 1 相对于对比文件 1 不具备专利法第二十二条第三款所规定的创造性。

权利要求 19 要求保护一种显示装置，对比文件 1 公开了一种图像显示装置，其中包括矩阵形式排列的像素，和图像传感器，所述传感器将照射到其上的光转换为电信号，传感器中包括光电二极管 PD，用于在检测光信号时产生与入射光  $L_s$  的量成正比的传感器电流，结电容 C 用来存储传感器转换的电信号（参见说明书第 4—5 页），像素选择电路 2 输出选择信号在一定的时间序列内打开相应的开关 SW1—SW4 以阅读传感器信号（参见说明书第 6 页倒数第 2 段）。权利要求 19 与对比文件 1 的区别在于，权利要求 19 中还包括初始化控制部。对比文件 1 中披露了结电容 C 在检测光信号之前进行放电以对光传感器电路初始化（参见说明书第 5 页第 9—10 行），本领域普通技术人员从中可以推导得知，该装置还可包括一初始化装置，因此本领域普通技术人员能够根据对比文件 1 得到权利要求 19 的技术方案，权利要求 19 相对于对比文件 1 不具备专利法第二十二条第三款所规定的创造性。

权利要求 1—8、19；9—14；16；17—18；20—22；23—25 之间不具备专利法第三十一条第一款所规定的单一性。理由如下：上述权利要求中相同、相应的技术特征是具有显示元件、将入射光变换为电信号的摄像部/传感器、电荷积存部。对比文件 1 公开了一种图像显示装置，其中包括矩阵形式排列的像素和图像传感器，所述传感器将照射到其上的



光转换为电信号，结电容 C 用来存储传感器转换的电信号（参见说明书第 4—5 页）。可见上述相同、相应的技术特征已经被对比文件 1 披露，因此上述权利要求之间，没有相同或相应的特定技术特征，其之间没有单一性。

权利要求 4 中出现“从所述初始电荷量减去所述摄像部中感光量对应的电荷所得的剩余电荷”在说明书的具体实施方式部分中没有被记载，从中也不能够直接推导得出，因此没有得到说明书的支持，不符合专利法第二十六条第四款的规定。

权利要求 7 中出现“该作业用存放部具有存放所述暂存部存放的所述 2 值数据的第 1 区和存放该第 1 区所存放的 2 值数据对应的所述数字图像数据的第 2 区”，根据说明书的记载，所述作业用存放部对应说明书中所述的主存储器 44，然而说明书中没有记载该主存储器 44 具有第 1、2 区，从中也不能够直接推导得出，因此权利要求 7 没有得到说明书的支持，不符合专利法第二十六条第四款的规定。

权利要求 9 中出现的“亮度设定部”、“摄像时间控制部”在说明书具体实施方式部分中没有被记载，从中也不能够直接推导得出，因此没有得到说明书的支持，不符合专利法第二十六条第四款的规定。

权利要求 14 中出现的“数据数测量部”在说明书具体实施方式部分中没有被记载，从中也不能够直接推导得出，因此没有得到说明书的支持，不符合专利法第二十六条第四款的规定。

权利要求 23—25 中出现的“外部电路”所概括的范围过宽，本领域技术人员很难想象得出除了在说明书中给出的具体实施方式以外的其他实施例，因此上述权利要求没有得到说明书的支持，不符合专利法第二十六条第四款的规定。

由于该申请存在属于专利法实施细则第五十三条第（二）、（三）种情形的缺陷，就目前文本尚不能被授予专利权，申请人应当根据本通知书中的审查意见进行修改，同时应当注意对权利要求书及说明书的修改都不得超出原申请的权利要求书和说明书所记载的范围。若申请人在指定期限内不能给出针对上述审查意见的充分理由，或者修改后的申请文本仍没有克服上述审查意见通知书中所指出的缺陷，该申请将依据专利法第三十八条予以驳回。